

Fill in this information to identify the case:

United States Bankruptcy Court for the:  
**EASTERN DISTRICT OF NEW YORK**

Case number (if known): \_\_\_\_\_ Chapter 11

Check if this is an amended filing

**Official Form 201**

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, Instructions for Bankruptcy Forms for Non-Individuals, is available.

**1. Debtor's name**

Hi-Temp Specialty Metals, Inc.

**2. All other names debtor used in the last 8 years**

Include any assumed names,  
trade names and *doing  
business as* names

**3. Debtor's federal Employer Identification Number (EIN)**

2 2 - 3 6 9 6 2 8 5

**4. Debtor's address**

Principal place of business

Mailing address, if different from principal place of business

355 County Road 101

Number Street

Number Street

Yaphank

City

NY

State

11980

ZIP Code

Suffolk

County

City

State

ZIP Code

Location of principal assets, if different from principal place of business

Number Street

City

State

ZIP Code

**5. Debtor's website (URL)**

**6. Type of debtor**

- Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership ( LLP))
- Partnership (excluding LLP)
- Other. Specify: \_\_\_\_\_

Debtor Hi-Temp Specialty Metals, Inc. Case number (if known) \_\_\_\_\_

## 7. Describe debtor's business

## A. Check one:

- Health Care Business (as defined in 11 U.S.C. § 101(27A))  
 Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  
 Railroad (as defined in 11 U.S.C. § 101(44))  
 Stockbroker (as defined in 11 U.S.C. § 101(53A))  
 Commodity Broker (as defined in 11 U.S.C. § 101(6))  
 Clearing Bank (as defined in 11 U.S.C. § 781(3))  
 None of the above

## B. Check all that apply:

- Tax-exempt entity (as described in 26 U.S.C. § 501)  
 Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)  
 Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.  
See <http://www.naics.com/search/>

## 8. Under which chapter of the Bankruptcy Code is the debtor filing?

## Check one:

- Chapter 7  
 Chapter 9  
 Chapter 11. Check all that apply:

- Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).  
 The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).  
 A plan is being filed with this petition.  
 Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).  
 The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy Under Chapter 11 (Official Form 201A) with this form.  
 The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- Chapter 12

## 9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

If more than 2 cases, attach a separate list.

 No Yes. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_ MM / DD / YYYY

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_ MM / DD / YYYY

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_ MM / DD / YYYY

Debtor Hi-Temp Specialty Metals, Inc. Case number (if known) \_\_\_\_\_

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

List all cases. If more than 1, attach a separate list.

<input checked="" type="checkbox"/> No	
<input type="checkbox"/> Yes. Debtor _____	Relationship _____
District _____	When _____
Case number, if known _____	MM / DD / YYYY
Debtor _____	Relationship _____
District _____	When _____
Case number, if known _____	MM / DD / YYYY

11. Why is the case filed in this district?

*Check all that apply:*

- Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? *(Check all that apply.)*

- It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard? \_\_\_\_\_
- It needs to be physically secured or protected from the weather.
- It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- Other \_\_\_\_\_

Where is the property?

Number _____	Street _____	
_____		
City _____	State _____	ZIP Code _____

Is the property insured?

- No
- Yes. Insurance agency \_\_\_\_\_
- Contact name \_\_\_\_\_
- Phone \_\_\_\_\_

#### Statistical and administrative information

13. Debtor's estimation of available funds

*Check one:*

- Funds will be available for distribution to unsecured creditors.
- After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

Debtor <u>Hi-Temp Specialty Metals, Inc.</u>	Case number (if known) _____	
<b>14. Estimated number of creditors</b>		
<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
<input type="checkbox"/> 50-99	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 50,001-100,000
<input type="checkbox"/> 100-199	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> More than 100,000
<input type="checkbox"/> 200-999		
<b>15. Estimated assets</b>		
<input type="checkbox"/> \$0-\$50,000	<input type="checkbox"/> \$1,000,001-\$10 million	<input type="checkbox"/> \$500,000,001-\$1 billion
<input type="checkbox"/> \$50,001-\$100,000	<input checked="" type="checkbox"/> \$10,000,001-\$50 million	<input type="checkbox"/> \$1,000,000,001-\$10 billion
<input type="checkbox"/> \$100,001-\$500,000	<input type="checkbox"/> \$50,000,001-\$100 million	<input type="checkbox"/> \$10,000,000,001-\$50 billion
<input type="checkbox"/> \$500,001-\$1 million	<input type="checkbox"/> \$100,000,001-\$500 million	<input type="checkbox"/> More than \$50 billion
<b>16. Estimated liabilities</b>		
<input type="checkbox"/> \$0-\$50,000	<input type="checkbox"/> \$1,000,001-\$10 million	<input type="checkbox"/> \$500,000,001-\$1 billion
<input type="checkbox"/> \$50,001-\$100,000	<input checked="" type="checkbox"/> \$10,000,001-\$50 million	<input type="checkbox"/> \$1,000,000,001-\$10 billion
<input type="checkbox"/> \$100,001-\$500,000	<input type="checkbox"/> \$50,000,001-\$100 million	<input type="checkbox"/> \$10,000,000,001-\$50 billion
<input type="checkbox"/> \$500,001-\$1 million	<input type="checkbox"/> \$100,000,001-\$500 million	<input type="checkbox"/> More than \$50 billion

**Part X: Request for Relief, Declaration, and Signatures**

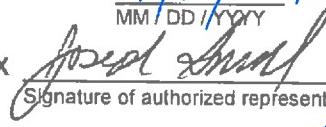
**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

<b>17. Declaration and signature of authorized representative of debtor</b>	The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
	I have been authorized to file this petition on behalf of the debtor.
	I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 04/22/2016

MM / DD / YYYY

X   
Signature of authorized representative of debtor

Joseph Smokovich  
Printed name

Title President and CEO

<b>18. Signature of attorney</b>	<u>Gerald DiConza</u>	Date <u>06/22/2016</u>
	Signature of Attorney for Debtor	MM / DD / YYYY
	Printed name	
	DICONZA TRAURIG KADISH LLP	
	Firm Name	
	<u>630 Third Avenue</u>	
	Number      Street	

<u>New York</u>	<u>NY</u>	<u>10017</u>
City	State	ZIP Code

Contact phone (212) 682-4940 Email address gdiconza@dtklawgroup.com

<u>2644631</u>	<u>NY</u>
Bar number	State

**WRITTEN CONSENT OF  
THE SOLE DIRECTOR OF  
HI-TEMP SPECIALTY METALS, INC.**

The undersigned, being the sole director of **HI-TEMP SPECIALTY METALS, INC.**, a Delaware corporation (the "Company"), hereby consents to the taking of the following actions and to the adoption of the following resolutions:

**RESOLVED**, that in the judgment of sole director, it is desirable and in the best interest of the Company, its creditors, stockholders, employees and other interested parties that the Company file a petition for relief under Chapter 11 of the United States Bankruptcy Code.

**RESOLVED**, that Joseph Smokovich, President of the Company, be and hereby is, authorized and directed to execute and deliver all documents necessary to accomplish the filing of a Chapter 11 voluntary bankruptcy case in the United States Bankruptcy Court on behalf of the Company.

**RESOLVED**, that Joseph Smokovich, President of the Corporation, be and hereby is, authorized and directed to appear in all such bankruptcy proceedings on behalf of the Company, and to otherwise do and perform any and all acts and deeds and to execute and deliver all necessary documents on behalf of the Company in connection with said bankruptcy proceedings.

**RESOLVED**, that Joseph Smokovich, President of the Corporation, be and hereby is, authorized and directed to employ the law firm of DiConza Traurig Kadish LLP to represent the Company as counsel in said bankruptcy proceedings.

**RESOLVED**, that Joseph Smokovich, President of the Corporation, be and hereby is, authorized and directed to employ CohnReznick Capital Market Securities, LLC as investment banker to the Company in said bankruptcy proceedings.

Dated: June 22, 2016

  
\_\_\_\_\_  
Joseph Smokovich

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK  
[www.nyeb.uscourts.gov](http://www.nyeb.uscourts.gov)

STATEMENT PURSUANT TO LOCAL  
BANKRUPTCY RULE 1073-2(b)

DEBTOR(S): Hi-Temp Specialty Metals, Inc.

CASE NO.: 16-

Pursuant to Local Bankruptcy Rule 1073-2(b), the debtor (or any other petitioner) hereby makes the following disclosure concerning Related Cases, to the petitioner's best knowledge, information and belief:

[NOTE: Cases shall be deemed "Related Cases" for purposes E.D.N.Y LBR 1073-1 and E.D.N.Y LBR 1073-2 if the earlier case was pending at any time within eight years before the filing of the new petition, and the debtors in such cases (i) are the same; (ii) are spouses or ex-spouses; (iii) are affiliates, as defined in 11 U.S.C. § 101(2); (iv) are general partners in the same partnership; (v) are a partnership and one more of its general partners; (vi) are partnerships which share one or more common general partners; or (vii) have, or within 180 days of the commencement of either of the Related Cases had, an interest in property that was or is included in the property of another estate under 11 U.S.C. § 541(a).]

- ✓ NO RELATED CASE IS PENDING OR HAS BEEN PENDING AT ANY TIME.
- ❑ THE FOLLOWING RELATED CASE(S) IS PENDING OR HAS BEEN PENDING:

1. CASE NO.: \_\_\_\_\_ JUDGE: \_\_\_\_\_ DISTRICT/DIVISION: \_\_\_\_\_

CASE PENDING: (YES/NO): \_\_\_\_\_ [If closed] Date of Closing: \_\_\_\_\_

CURRENT STATUS OF RELATED CASE: \_\_\_\_\_  
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED: (Refer to NOTE above): \_\_\_\_\_

- SCHEDULE A/B: PROPERTY "OFFICIAL FORM 106A/B - INDIVIDUAL" PART 1 (REAL PROPERTY):  
REAL PROPERTY AS LISTED IN DEBTOR'S SCHEDULE "A/B - PART 1" WHICH WAS ALSO LISTED IN SCHEDULE "A/B" OF RELATED CASES: \_\_\_\_\_
- SCHEDULE A/B: ASSETS – REAL PROPERTY "OFFICIAL FORM 206A/B - NON-INDIVIDUAL" PART 9 (REAL PROPERTY): REAL PROPERTY AS LISTED IN DEBTOR'S SCHEDULE "A/B – PART 9" WHICH WAS ALSO LISTED IN SCHEDULE "A/B" OF RELATED CASES: \_\_\_\_\_

2. CASE NO.: \_\_\_\_\_ JUDGE: \_\_\_\_\_ DISTRICT/DIVISION: \_\_\_\_\_

CASE PENDING: (YES/NO): \_\_\_\_\_ [If closed] Date of Closing: \_\_\_\_\_

CURRENT STATUS OF RELATED CASE: \_\_\_\_\_  
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED: (Refer to NOTE above): \_\_\_\_\_

- SCHEDULE A/B: PROPERTY "OFFICIAL FORM 106A/B - INDIVIDUAL" PART 1 (REAL PROPERTY):  
REAL PROPERTY AS LISTED IN DEBTOR'S SCHEDULE "A/B – PART 1" WHICH WAS ALSO LISTED IN SCHEDULE "A/B" OF RELATED CASES: \_\_\_\_\_
- SCHEDULE A/B: ASSETS – REAL PROPERTY "OFFICIAL FORM 206A/B - NON-INDIVIDUAL" PART 9 (REAL PROPERTY):  
REAL PROPERTY AS LISTED IN DEBTOR'S SCHEDULE "A/B – PART 9" WHICH WAS ALSO LISTED IN SCHEDULE "A/B" OF RELATED CASES: \_\_\_\_\_

**[OVER]****DISCLOSURE OF RELATED CASES (cont'd)**

3. CASE NO.: \_\_\_\_\_ JUDGE: \_\_\_\_\_ DISTRICT/DIVISION: \_\_\_\_\_

CASE PENDING: (YES/NO): \_\_\_\_\_ [If closed] Date of Closing: \_\_\_\_\_

CURRENT STATUS OF RELATED CASE: \_\_\_\_\_  
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED: (Refer to NOTE above): \_\_\_\_\_

- SCHEDULE A/B: PROPERTY "OFFICIAL FORM 106A/B - INDIVIDUAL" PART 1 (REAL PROPERTY): REAL PROPERTY AS LISTED IN DEBTOR'S SCHEDULE "A/B - PART 1" WHICH WAS ALSO LISTED IN SCHEDULE "A/B" OF RELATED CASES: \_\_\_\_\_
- SCHEDULE A/B: ASSETS – REAL PROPERTY "OFFICIAL FORM 206A/B - NON-INDIVIDUAL" PART 9 (REAL PROPERTY): REAL PROPERTY AS LISTED IN DEBTOR'S SCHEDULE "A/B – PART 9" WHICH WAS ALSO LISTED IN SCHEDULE "A/B" OF RELATED CASES: \_\_\_\_\_

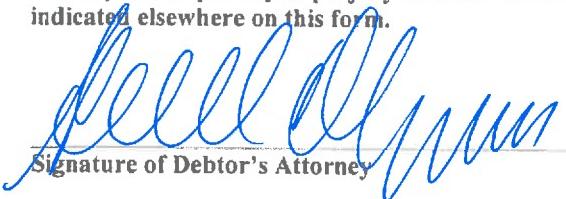
**NOTE:** Pursuant to 11 U.S.C. § 109(g), certain individuals who have had prior cases dismissed within the preceding 180 days may not be eligible to be debtors. Such an individual will be required to file a statement in support of his/her eligibility to file.

**TO BE COMPLETED BY DEBTOR/PETITIONER'S ATTORNEY, AS APPLICABLE:**

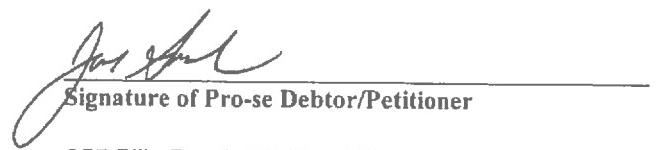
I am admitted to practice in the Eastern District of New York (Y/N): Y \_\_\_\_\_

**CERTIFICATION** (to be signed by pro-se debtor/petitioner or debtor/petitioner's attorney, as applicable):

I certify under penalty of perjury that the within bankruptcy case is not related to any case pending or pending at any time, except as indicated elsewhere on this form.



Signature of Debtor's Attorney



Signature of Pro-se Debtor/Petitioner

355 Sills Road, PO Box 159  
Mailing Address of Debtor/Petitioner

Yaphank, NY 11980

City, State, Zip Code

joesmokov@aol.com

Email Address

631-775-8750

Area Code and Telephone Number

Failure to fully and truthfully provide all information required by the E.D.N.Y LBR 1073-2 Statement may subject the debtor or any other petitioner and their attorney to appropriate sanctions, including without limitation conversion, the appointment of a trustee or the dismissal of the case with prejudice.

NOTE: Any change in address must be reported to the Court immediately IN WRITING. Dismissal of your petition may otherwise result.

DICONZA TRAURIG KADISH LLP  
630 Third Avenue  
New York, New York 10017  
Gerard DiConza  
Lance A. Schildkraut  
Tel: (212) 682-4940  
Email: [gdiconza@dtklawgroup.com](mailto:gdiconza@dtklawgroup.com)  
[las@dtklawgroup.com](mailto:las@dtklawgroup.com)

*Proposed Counsel for Debtor and Debtor in Possession*

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
In re :  
HI-TEMP SPECIALTY METALS, INC.,<sup>1</sup> : Chapter 11  
: Case No. 16-\_\_\_\_\_  
: \_\_\_\_\_  
Debtor. :  
-----X

**CORPORATE OWNERSHIP STATEMENT PURSUANT TO  
FED. R. BANKR. P. 1007(a)(1) AND LOCAL BANKRUPTCY RULE 1073-3**

Pursuant to Rule 1007(a)(1) of the Federal Rules of Bankruptcy Procedure and Rule 1073-3 of the Local Rules for the United States Bankruptcy Court for the Eastern District of New York, Hi-Temp Specialty Metals, Inc., as debtor and debtor-in-possession in the above-captioned chapter 11 case (the “Debtor”), respectfully represents:

1. To the best of the Debtor’s knowledge and belief based on publicly filed disclosures, as of June 1, 2016, Hi-Temp Acquisition Corp., Inc. (“HTAC”) owns 100% of the Debtor’s equity interests.
2. The Debtor does not directly or indirectly own ten percent (10%) or more

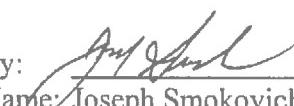
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<sup>1</sup> The last four digits of the Debtor’s federal tax id. number are 6285.

of any class of equity of a corporation whose securities are publicly traded.

Dated: June 22, 2016  
Yaphank, New York

HI-TEMP SPECIALTY METALS, INC.

By:   
Name: Joseph Smokovich  
Title: President

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
In re :  
HI-TEMP SPECIALTY METALS, INC.<sup>1</sup> : Chapter 11  
Debtor. : Case No. 16-\_\_\_\_\_  
-----X

**DECLARATION OF JOSEPH SMOKOVICH**

JOSEPH SMOKOVICH, the undersigned officer of debtor, Hi-Temp Specialty Metals, Inc., hereby declares, under penalty of perjury, that I have read the foregoing corporate ownership statement and it is true and correct to the best of my information and belief.

Dated: June 22, 2016  
Yaphank, New York



JOSEPH SMOKOVICH

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<sup>1</sup> The last four digits of the Debtor's federal tax id. number are 6285.